

DOCUMENT of EXHAUSTING  
ADMINISTRATIVE REMEDIES

For Reply



# COMMONWEALTH of VIRGINIA

GENE M. JOHNSON  
DIRECTOR

## Department of Corrections

P. O. BOX 26963  
RICHMOND, VIRGINIA 23261  
(804) 674-3000

### INMATE GRIEVANCE RESPONSE FORM Level III

K. Brown, #207902	Red Onion State Prison	620-29506
Inmate Name and Number	Institution	Log Number

Level III: Deputy Director/Director Response: (To be completed and mailed within twenty (20) calendar days)

I have reviewed your grievance appealing the decision of the Publication Review Committee's disapproval of the "The Final Call" publication, Volume 28, #'s 4, 10, 12, 13, 14, 15, & 18.

In accordance with Operating Procedure 803.2, Incoming Publications, Section V, E (6) approval to order or receive a publication or subscription is not a blanket approval of the publication; each issue will be reviewed at the facility prior to delivery to inmates. The Warden/Superintendent or his designee should disapprove any publication for receipt and possession by inmates, if it is not already on the Disapproved Publication List and it can be documented to contain material that violates Operating Procedure #803.2, as specifically listed in 803.2 Section V (L) and Attachment #1. Red Onion State Prison determined that the publication might have contained material in violation of Operating Procedure 803.2 and forwarded it to the Publication Review Committee in accordance with policy.

On March 6, 2009, "The Final Call" issues #4, 10, 12, 13, 14, 15, & 18 were reviewed by the Publication Review Committee and it was determined these issues violated Operating Procedure 803.2-Section V (L), Attachment 1, #7 and #12 as follows:

#7. Material that promotes or advocates violence, disorder, insurrection or terrorist activities against individuals, groups, organizations, the government, or any of its institutions

#12. Material whose content could be detrimental to the security, good-order, discipline of the facility, or offender rehabilitative efforts or the safety or health of offenders, staff, or others

I have considered your appeal of the Committee's decision and have determined that the Publication Review Committee disapproved the publication in accordance with Operating Procedure 803.2, Incoming Publications. I am upholding the Committee's decision. Your grievance is **unfounded**. You have exhausted all administrative remedies.

\_\_\_\_\_  
J. Jabe, Deputy Director of Operations

Date: 6/3/09

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MAY 10 2009

INMATE GRIEVANCE RESPONSE FORM

LEVEL I

MAY 06 2009

Deputy Director, Operations

Deputy Director, Operations

K. Brown, 207902

Red Onion State Prison

620-29506

Inmate Name and Number

Institution

Log Number

**LEVEL I: Warden's Response** (To be completed and mailed within thirty calendar days.)

**Grievance Summary:** You stated you are grieving the disapproval by the Publication Review Committee of your "Final Call, Vol. 28, #'s 4; 10; 12; 13; 14; 15; and 18. This notice was dated March 31, 2009.

**Informal Summary:** Your disapproval notices from the Publication Review Committee is attached.

**Investigation:** As you were advised by the memorandum dated March 31, 2009, your publication was reviewed and determined to violate Procedure 803.2, #12. This decision was made by the Publication Review Committee, and Major Fleming was notified of their decision. All books, publications, and tapes are subject to review for compliance with Procedure 803.2 prior to delivery to you. It is only required that the policy number of the violation be noted on your disapproval notice.

**Policy/Procedure:** OP 803.2 governs this issue.

In accordance with the above information, this grievance is considered to be **UNFOUNDED**, as procedures have been correctly applied. No further action appears to be necessary at this time.



Warden

4-30-09

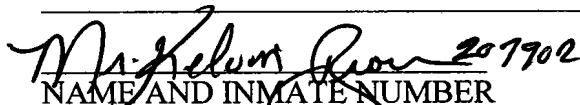
Date

In accordance with procedure 866.1 governing Inmate Grievance Procedures, if you are dissatisfied with this response you may appeal this decision within five (5) calendar days to:

Deputy Director of Operations,  
P. O. Box 26963  
Richmond, Virginia 23261-6963

I wish to appeal the LEVEL I Response because:

SEE Attachment →

  
NAME AND INMATE NUMBER05/02/09  
DATE

FT

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MAY 19 2009

Ombudsman Services Unit

RECEIVED

MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

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MAY 19 2009

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MAY 18 2009

Attachments:

Ombudsman Services Unit

Deputy Director, Operations

Appeal of Grievance 620-29506

AS IT RELATE to PROCEDURE 803.2 #12, INSTITUTIONAL MAJOR (L FLEMING) CLAIMS, (THESE RELIGIOUS NEWSPAPERS) "ARE" MATERIAL WHOSE CONTENT COULD BE DETRIMENTAL TO THE SECURITY, GOOD ORDER, DISCIPLINE OF THE FACILITY, OR OFFENDER REHABILITATIVE EFFORTS OR THE SAFETY OR HEALTH OF OFFENDERS, STAFF, OR OTHERS."

THIS PUBLICATION IS APPROVED THROUGHOUT THE VA. D.O.C. I HAVE RECEIVED IT FOR OVER 14 1/2 YEARS, PRIOR TO COMING TO RED OXON. IN LIKE MANNER, THIS PUBLICATION HAS BEEN COMING INTO RED OXON SINCE 1998. THERE HAS NEVER BEEN AN ASSAULT, STABBING, RIOT, ESCAPE OR ANY OTHER REPORTED DISRUPTION AS A RESULT OF THIS PUBLICATION NOR HAS THE INSTITUTION DISPLAYED, REPORTED, OR OTHERWISE COLLECTED OR HAVE DATA, VIA AN INVESTIGATION, THAT A FUTURE RIOT, ESCAPE, OR PLANNED ASSAULT OR DISRUPTION IS IMMINENT.

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PROCEDURE 803.2 #12, IS ALSO IN CONJUNCTION WITH THE PRIOR WORDS OF: "A PUBLICATION SHOULD BE DISAPPROVED IF IT CAN BE REASONABLY DOCUMENTED CONTAIN:". AGAIN, IN THIS ALLEGED INDEPENDENT REVIEW, NO REASONABLENESS HAS BEEN RENDERED. MAJOR FLEMING HAS OTHERWISE USED HIS AUTHORITY TO DENY, REPEATEDLY, FOR OVER 6 1/2 MONTHS THIS PUBLICATION WITHOUT DUE PROCESS OR OFFERING A "REASONABLE REASON. HE USES POLICY ARBITRARITY. MY PERSONAL CONVERSATION WITH HIM BACK.

Pg. 2

IN APRIL 2009, REVEALS, HE HAS A PERSONAL ISSUE WITH THE PHILOSOPHICAL TEACHINGS OF THE NATION OF ISLAM. HE OFFERED NO SOUND PROOF OR REASONABLE REASON - AS IT RELATE TO DANGER, DISORDER, OR SECURITY THREAT. (I AM NOT A CHRISTIAN, THOUGH I RESPECT ALL CHRISTIANS. YET, I DO NOT BELIEVE IN MANY OF THEIR DOGMAS, DOCTRINES AND/OR PHILOSOPHY WHEN IT COMES TO JESUS, HELL, OR HEAVEN. THIS SHOULD NOT BE ENOUGH TO DENY A PERSONS RELIGION MATERIAL BECAUSE YOU DO NOT PERSONALLY AGREE. THIS IS THE MEASURE OF CREATING A SUBSTANTIAL BURDEN AND IT'S THE MOST RESTRICTED MEANS. CHAPLAIN DEPARTMENT DOES NOT PROVIDE/OFFER NATION OF ISLAM RELIGIOUS MATERIAL; VIDEOS SHOWN OVER CLOSE CIRCUIT TELEVISION ARE OLD, CUTS OFF HALF WAY THROUGH, AND HAS ONLY SHOWN TWICE IN THE 12 MONTHS I'VE BEEN AT RED OXON.)

I ASKED MAJOR FLEMING, WHAT IS THE THREAT OR DISRUPTIVE ELEMENT OF THE PUBLICATION. HE OFFERED NO EXPLANATION. I ASKED, WHAT EVIDENCE DO HE OFFER TO SUPPORT THIS CLAIM; HE OFFERED NONE - ONLY WALKING AWAY. THERE HAS NEVER BEEN A REPORTED ASSAULT (PHYSICALLY OR VERBALLY) ON STAFF, OFFICERS, OR PRISONERS AS A RESULT OF THIS PUBLICATION. (RED OXON ALWAYS HAD, AND STILL DO HAVE RACIST OFFICERS WHO WALK AROUND AND VERBALIZE THEIR DISLIKE, HATRED, AND BIGOTRY FOR BLACKS, HISPANICS, AND BZ-RACIAL PRISONER; THIS INCLUDE THEIR BIGOTRY TOWARDS ISLAM.

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Ombudsman Services Unit

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MAY 18 2009

Deputy Director, Operations

Pg. 3

I HAD RECEIVED THIS PUBLICATION AT RED OUNZON FROM AUG. 2008 UNTIL NOV. 2008, WITHOUT HAVE ONE DISAPPROVED OVER 12-13 WKS. WITHOUT TRUE REASON, THE PUBLICATION IS BEING REPEATEDLY DENIED - EVERY WEEK. Though, this publication IS BEING PERMITTED AT OTHER INSTITUTIONS (THAT'S A FACT).

THIS IS A RELIGIOUS PUBLICATION; IT DOES NOT ADVOCATE, PROMOTE, TEACH, OR ADVISE GANG ACTIVITY, TERRORISM, INSURRECTION, VIOLENCE, CIVIL UNREST OR ANYTHING ALIKE TO SUCH DOCTRINE. IT TEACHES JUST THE OPPOSITION. QUESTION! IF THIS PUBLICATION VIOLATES 803.2#12 - THEN WHY ARE THE BOOKS THAT CONTAIN THE SAME TEACHINGS ALLOWED IN THE INSTITUTION? YET, NO ~~DEATH~~ DETRIMENT HAS BEEN COMMITTED OR REPORTED?

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WESTERN REGION

I STATE, IN CONCLUSION, RED OUNZON HAS ONLY QUOTED POLICY, OFFERING NO SUBSTANTIAL PROOF, EVIDENCE TO SUPPORT THEIR CLAIM. THIS IS ABUSE OF AUTHORITY AND VIOLATES MY DUE PROCESS RIGHTS TO A FAIR AND IMPARTIAL HEARING / REVIEW. (THE SAME PARTY THAT DENIED MY PUBLICATIONS, ARE THE SAME P.R.C. THAT REVIEWED THEM.) NO ONE REVIEWED THESE PUBLICATIONS WITH IMPARTIALITY OR FAIRNESS. EVIDENCE CLEARLY SHOWS, THIS PUBLICATION, IN THE PAST, PRESENT, OR FUTURE, POSES A THREAT TO THE INSTITUTION. (THIS IS A SEGREGATION UNIT; PRISONS ARE RESTRICTED TO 23-24 HRS. LOCK-DOWN; ALL MOVEMENT TO-FROM ARE IN CUFFS AND SHACKLES; PRISONERS ARE NOT PERMITTED TO TRADE - BACK.



PG. 5

OR EXCHANGE MATERIALS IN AN OVERALL MANNER, THIS IS THE ONLY MEANS FOR ME (AND OTHERS) TO OBTAIN MATERIAL OF ISLAM RELIGIOUS MATERIAL (CHAPLAIN DOES NOT PROVIDE SUCH). THIS IS THE MOST SECURE PRISON IS THE VA. D.O.C., WHERE IS THE SECURE THREAT OR DANGER? THE GOOD ORDER IS DETERMINED, TO CONTROL PRISONERS BEHAVIOR, PREVENT ESCAPES, ASSAULTS, RIOTS, ETC. (NONE OF THE ABOVE HAS TAKING PLACE OR BEEN REPORTED, AS A RESULT OF THIS PUBLICATION. IF IT "COULD," THEN WHERE IS THE PROOF/EVIDENCE? NONE HAS BEEN OFFERED.) THIS DISCIPLINE OF RED OXON, IS WHAT IT IS. TO DENY THIS PUBLICATION HAS NOT MADE RED OXON SAFER OR LESS SAFER; CHARGES ARE STILL WRITTEN BY DIFFERENT INCIDENCE, HOWEVER, NOT AT A COST OR CAUSE OF THIS PUBLICATION.) I AM NOT A SEXUAL OFFENDER (I'M CONFINED FOR ROBBERY AND GUN CHARGE, SENT TO RED OXON FOR ALLEGEDLY CLOSING A DOOR ON A COUNSELOR AT AUGUSTA, NOT RELATED TO A REHABILITATIVE MEANS. AND THIS PUBLICATION, IN NO WAY POSES A DANGER TO THE HEALTH OR WELL BEING OF THE STAFF, OFFICERS, OR OTHERS.

THIS PUBLICATION HAS BEEN REPEATEDLY DENIED SINCE NOV. 2008 (7 MONTHS), THIS IS AN ACT OF "BANNING" THIS PUBLICATION. THESE DENIED ISSUES ARE NOT LISTED IN "DCS-APPROVED LIST BOOK", NOR HAVE THE AUTHORITIES CONTACTED PUBLISHER TO NOTIFY THEM OF SUCH (AS IT'S REPORTED IN 808.2). AND, OTHER INSTITUTIONS ARE PERMITTING THESE SAME ISSUES

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Deputy Director, Operations

PG. 5

WITHOUT INCIDENT

I ASK THAT THERE BE A THOROUGH AND COMPLETE INDEPENDENT REVIEW OF "EACH DENIED ISSUE" OF THIS PUBLICATION, WITH AN IMPARTIAL REVIEW. THAT EVIDENCE BE SUPPORTED, TO SUPPORT SUCH CLAIM BY AUTHORITIES AT Red OUNION. (I STATE, TO CITE POLICY WITHOUT PROOF OR EVIDENCE IS AN ARBITRARILY ABUSE OF AUTHORITY AND PROOF OF RELIGIOUS AND RACIAL BIGOTRY AND DISCRIMINATION.)

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AGAIN, THIS DENIAL DOES NOT ~~FOR A STATE~~ OR PENOLOGICAL INTEREST - AS IT RELATE TO SECURITY AND ORDERLY OPERATION OF Red OUNION (THESE HAS BEEN THE SAME PRISON FOR OVER 10 YRS., SAME CRIMINAL COMPLAINT AND ALLEGATIONS.). THIS DENIAL DOES CREATE A SUBSTANTIAL BURDEN ON PRISONERS TO PRACTICE THEIR FAITH AND RELIGION (ESPECIALLY WHEN THE INSTITUTION DOES NOT OFFER NATION OF ISLAM RELIGIOUS MATERIAL NOR SHOW VIDEOS OF OR BY NATION OF ISLAM ON A REGULAR (WEEKLY BASES.) THE FACTS SHOW, THIS ACT, ON BEHALF OF Red OUNION AUTHORITIES, IS RELIGIOUS AND RACIAL MOTIVATED (I CAN GET CHRISTIAN MATERIAL LIKE CLOCK-WORK.).

PLEASE REVIEW THIS MATTER AND REVIEW IT MOST FAVORABLE TO THE FACTS, EVIDENCE; WITHOUT IMPARTIALITY AND WITHOUT BIASNESS

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MAY 19 2009

Ombudsman Services Unit

THANK YOU,

Mr. Kelvin Brown





VIRGINIA DEPARTMENT OF CORRECTIONS  
Regular Grievance

Effective Date: November 1, 2007  
Operating Procedure #866.1 Attachment #2

MAY 19 2009  
Ombudsman Services Unit

REGULAR GRIEVANCE

MAY 18 2009

Log Number: 620-29506

Deputy Director, Operations

BROWN, K.	207902	D	313
Last Name	First	Number	Building
Cell/Bed Number			

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) PRIOR to the DENIAL OF MY RELIGIOUS NEWSPAPER, I RECEIVED SUCH FOR 12-13 WEEKS (AUG. 2008 - NOV. 2008), SINCE THEN, THE PAPER HAS BEEN REPEATEDLY DENIED - FOR MORE THAN 4 1/2 MONTHS; FOR REASONS: "DETREMENTAL TO SECURITY, ORDERLY OPERATIONS, ETC. FACT BE TOLD, THIS PAPER HAS BEEN COMING INTO THE VA. D.O.C. AND B.O.S.P. SINCE 1998. THERE HAS NEVER BEEN AN ASSAULT, RIOT, ESCAPE, OR DISRUPTIVE TO THE ORDER OR SECURITY OF B.O.S.P., NOR ARE THERE ANY DATA/INTELLIGENCE EXISTING, SAYING, THERE ARE FUTURE PLANNING TO COMMIT ASSAULT, RIOT, ESCAPE, ETC. MOREOVER, TO DENY THE NEWSPAPER HAS NOT MADE B.O.S.P. SAFER NOR MORE DISRUPTIVE. THIS REPEATED, ARBITRARY DECISION TO DENY IS MEANINGLESS, IT DOES NOT SERVE A PENITENTIARY INTEREST; THE CHAPLAIN DEPT. DOES NOT SHOW NATION OF ISLAM VIDEOS (WEEKLY), NOR DOES THE DEPT. PROVIDE N.O.C MATERIAL/LITERATURE. THIS IS VIOLATION OF MY RELIGIOUS RIGHTS. THIS VIOLATION, NOR ANYTHING IS A THREAT TO B.O.S.P.

What action do you want taken? AS PREVIOUSLY DONE, AND IS THROUGHT VA.D.O.C., PERMIT THE NEWSPAPER to ALL PRISONER AT B.O.S.P.; THIS IS A SEGREGATION UNIT, HOW DOES THE PUBLICATION PSES A "DETREMENT" to SECURITY? STOP THE VIOLATIONS OF PRISONERS' RELIGIOUS RIGHTS. AND APOLOGIZE to ALL, VIA MEMO, FOR SUCH CHARACTERISTICS AND VIOLATIONS.

Grievant's Signature:

K. Brown

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04/01/09

Warden/Superintendent's Office:

J. Taylor

MAY 12 2009

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Date Received:

4/13/09

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

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Grievance



VIRGINIA DEPARTMENT OF CORRECTIONS  
Notification of Publication Review Committee Disapproval

Effective Date: August 1, 2007  
Operating Procedure #803.2 Attachment #2

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Deputy Director, Operations

## MEMORANDUM

Red Onion State Prison

Warden: Tracy S. Ray

TO: Brown Kelvin 207902 D 313  
FROM: Major L. Fleming, Chief of Security  
DATE: 3/31/2009  
SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 4 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval* 803.2 # 12. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

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Ombudsman Services Unit

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WESTERN REGION

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APR 03 2009

**Grievance**



VIRGINIA DEPARTMENT OF CORRECTIONS  
Notification of Publication Review Committee Disapproval

Effective Date: August 1, 2007  
Operating Procedure #803.2 Attachment #2

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MAY 18 2009

Deputy Director, Operations

## MEMORANDUM

Red Onion State Prison

Warden: Tracy S. Ray

TO: Brown Kelvin 207902 D 313  
FROM: Major L. Fleming, Chief of Security  
DATE: 3/31/2009  
SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 10 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval* 803.2 # 12. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

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Ombudsman Services Unit

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MAY 12 2009

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WESTERN REGION

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**Grievance**



VIRGINIA DEPARTMENT OF CORRECTIONS  
Notification of Publication Review Co

Disapproval

Effective Date: August 1, 2007  
Operating Procedure #803.2 Attachment #2

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MAY 18 2009

Deputy Director, Operations

## MEMORANDUM

Red Onion State Prison

Warden: Tracy S. Ray

TO: Brown Kelvin 207902 D 313  
FROM: Major L. Fleming, Chief of Security  
DATE: 3/31/2009  
SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 12 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval* 803.2 # 12. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

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MAY 19 2009

Ombudsman Services Unit

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MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

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Grievance



VIRGINIA DEPARTMENT OF CORRECTIONS  
Regular Grievance

Effective Date: November 1, 2007  
Operating Procedure #866.1 Attachment #2

# REGULAR GRIEVANCE **RECEIVED**

MAY 18 2009 Number: \_\_\_\_\_

Deputy Director, Operations

BROKIN, K.	20792	D	313
Last Name	First	Number	Building

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.)

Prior to the REPEATED DENIAL of my Religious Newspaper, I had received it for 12-13 wks (consecutive), since then, it has been DENIED for 4 1/2 - 5 mos. THERE'S NO EVIDENCE to suggest nor support that the DENIAL of this publication makes B.O.S.P. SAFER or LESS SAFER. THERE HAS BEEN NO ASSAULTS, BEATS, ESCAPE, ETC., AT THE HAND OF this publication. AGAIN, this is a Religious Publication. Red GIRON is a SEGREGATION UNIT, 95% of populus locked behind the door, 23-24 hrs a day. This DENIAL of this Religious Publication does not pose a threat to B.O.S.P., it's security or staff, AND, it does not serve a state or penological interest, however, it does violate PRISONERS Religious Rights. CHAPLAIN SERVICE does not provide MATERIAL of ISLAM material, nor show video (N.O.Z) WEEKLY.

What action do you want taken? As done previously, AND as throughout VA B.O.C., PERMIT ALL PRISONERS to receive the publication; stop the Religious Rights VIOLATIONS, AND Apologize, VIA memo.

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MAY 19 2009

Grievant's Signature: \_\_\_\_\_

*K. Brown*

Ombudsman Services Unit

Date: \_\_\_\_\_

04/01/09

Warden/Superintendent's Office: \_\_\_\_\_

**RECEIVED**

Date Received: \_\_\_\_\_

APR 03 2009

**Grievance**

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WESTERN REGION





VIRGINIA DEPARTMENT OF CORRECTIONS  
Notification of Publication Review Committee Disapproval

Effective Date: August 1, 2007  
Operating Procedure #803.2 Attachment #2

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MAY 18 2009

Deputy Director, Operations

## MEMORANDUM

Red Onion State Prison

Warden: Tracy S. Ray

TO: Brown Kelvin 207902 D 313  
FROM: Major L. Fleming, Chief of Security  
DATE: 3/31/2009  
SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 13 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval* 803.2 # 12. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

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Ombudsman Services Unit

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MAY 12 2009

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WESTERN REGION

**RECEIVED**

APR 03 2009

**Grievance**



VIRGINIA DEPARTMENT OF CORRECTIONS  
RED OILION STATE PRISON  
Inmate Request For Information/Service

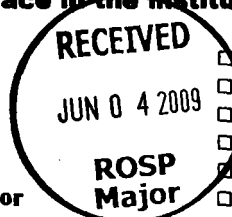
Implementation Memo for DOP# 866  
Attachment #2

## INMATE REQUEST FOR INFORMATION/SERVICE

**INSTRUCTIONS FOR FILING:** If you have a complaint that may result in a formal grievance, you must use the Informal Complaint Form. This form is to be used for requesting general information through specific departments. Please ensure that your topic coincides with the appropriate department.

**Please fill out form & send to (please check one below) and place in the institutional mail:**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Warden                             | <input type="checkbox"/> DCE                           | <input type="checkbox"/> Mailroom                   |
| <input type="checkbox"/> Assistant Warden                   | <input type="checkbox"/> Mental Health                 | <input type="checkbox"/> Inmate Grievance Office    |
| <input checked="" type="checkbox"/> <u>Major (security)</u> | <input type="checkbox"/> Medical                       | <input type="checkbox"/> Safety Officer             |
| <input type="checkbox"/> Treatment/TPS                      | <input type="checkbox"/> Food Service                  | <input type="checkbox"/> Institutional Investigator |
| <input type="checkbox"/> Operations Officer                 | <input type="checkbox"/> Dentist                       | <input type="checkbox"/> Buildings & Grounds        |
| <input type="checkbox"/> Business Office                    | <input type="checkbox"/> Recreation Supervisor         | <input type="checkbox"/> Laundry                    |
| <input type="checkbox"/> Property Control                   | <input type="checkbox"/> Inmate Records                | <input type="checkbox"/> Chaplain                   |
| <input type="checkbox"/> Unit Manager, _____ Bldg.          | <input type="checkbox"/> Disciplinary Hearings Officer | <input type="checkbox"/> Other _____                |



K. BROWN	207902	D	313
Inmate's Last Name	First Name	Number	Building

PLEASE STATE YOUR QUESTION:

I submit this request to you, regarding a letter I sent to you - sum two weeks ago, wherein I voiced my concern to you as the next alleged reason to deny my religious newspaper: THE FINAL CALL. THE NEXT ALLEGATION - AS I'M SURE YOU KNOW - HAS CHANGED FROM D.O.P. 803.2#12, to now, 803.2#7 - WHEREIN, CLAIMS THAT THE FINAL CALL NEWSPAPER, "PROMOTES," "ADVOCATE," AND "EXPLORES" VIOLENCE AGAINST INDIVIDUALS, GROUPS, THE GOVERNMENT AND ITS INSTITUTIONS. I MUST SAY, THESE ALLEGATIONS ARE FALSE, RACIST, AND ILLEGAL. YOU AND YOUR LEADERS BELIEVE BIGOTRY; to use policy to ENFORCE such bigotry. I shared with you, if these claims, which appears you believe, were true, have you contacted the local F.B.I.? THE OFFICE OF HOMELAND SECURITY? YOUR INSTITUTIONAL INVESTIGATOR? You make these claims, but show no evidence to support such. THE NATION of Islam has NEVER LAUGH, EXPLORED, ADVOCATED, or PROMOTE VIOLENCE. I'M SURE YOU KNOW THAT - THE F.B.I. DOES ALSO. FURTHERMORE, IT'S VERY UNLAWFUL AND UNPROFESSIONAL TO ALLEGED THESE CLAIMS WITHOUT EVIDENCE / PROOF. THIS IS A BIGOTRY. I AM REQUESTING A MEETING or an opportunity to speak with you, or to see the facts, which that you stand upon. THANK YOU.

Inmate's Signature: K. Brown Date: 06.02.09

STAFF RESPONSE: When these Publications are reviewed. If they are Disapproved they are sent to the Review Committee for their Review. If they Agree and Disapprove they will contact us.

Respondent's Signature: [Signature]

Date: 6-8-09



VIRGINIA DEPARTMENT OF CORRECTIONS  
RED UNION STATE PRISON  
Inmate Request For Information/Service

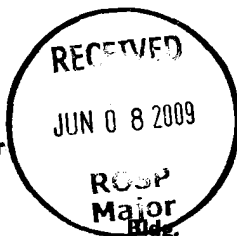
Implementation Memo for DOP# 866  
Attachment #2

## INMATE REQUEST FOR INFORMATION/SERVICE

**INSTRUCTIONS FOR FILING:** If you have a complaint that may result in a formal grievance, you must use the Informal Complaint Form. This form is to be used for requesting general information through specific departments. Please ensure that your topic coincides with the appropriate department.

Please fill out form & send to (please check one below) and place in the institutional mail:

- ☐ Warden
- ☐ Assistant Warden
- ☐ Major (security)
- ☐ Treatment/TPS
- ☐ Operations Officer
- ☐ Business Office
- ☐ Property Control
- ☐ Unit Manager



- ☐ DCE
- ☐ Mental Health
- ☐ Medical
- ☐ Food Service
- ☐ Dentist
- ☐ Recreation Supervisor
- ☐ Inmate Records
- ☐ Disciplinary Hearings Officer

RECEIVED

JUN 02 2009

ROSP INVESTIGATOR

- ☐ Mailroom
- ☐ Inmate Grievance Office
- ☐ Safety Officer
- ☒ Institutional Investigator Adams
- ☐ Buildings & Grounds
- ☐ Laundry
- ☐ Chaplain
- ☐ Other

K. BROWN	207902	D	313
Inmate's Last Name	First Name	Number	Building
PLEASE STATE YOUR QUESTION: <p style="margin: 5px 0;">I submit this Follow-up REQUEST TO YOU, REGARDING A REQUEST / LETTER I SENT TO YOUR OFFICE, SOME 1 1/2 WEEKS AGO. IN SUCH CORRESPONDENCE, I WAS EXPLAINING THE REPEATED DENIAL of my BELZGUS Publication, by MAJOR FLEMING / AND/OR HIS LEASON, FOR OUTRAGEOUS AND bogus ALLEGATIONS. I WANTED TO KNOW, AS AN INVESTIGATOR OF MATTERS BELONGING TO PRISONERS, BUT ALSO OFFICERS AND STAFF, THAT YOU LOOK INTO THIS MATTER. CURRENTLY, I'M TOLD, MY BELZGUS Faith Community AND Publication "ADVOCATE" AND "PROMOTE" TERRORIST ACTIVITIES, ETC. THIS IS BELZGUS bigamy AND A FRAUD FROM THE FACT I HAVE RECEIVED ONLY 2 NEWSPAPERS IN APPROX. 8 MONTHS OF A WEEKLY PUBLICATION, PRIOR TO NOV 2008, I RECEIVED THEM EVERY WEEK. I DO BELIEVE MAJOR FLEMING'S DECISION, DENY PUBLICATION IS RACIAL AND BELZGUSLY MOTIVATED, WHICH VIOLATES POLICY. HE HAS YET, TO PRESENT ANY FACTS TO SUPPORT HER CLAIMS SO, I TURN TO YOU, ASKING YOU TO REVIEW THIS MATTER. Please Respond THANKYOU</p>			
Inmate's Signature: <u>K. Brown</u>		Date: <u>06-01-09</u>	
STAFF RESPONSE: <u>Forwarded to MAJOR 6209</u>			
<p style="margin: 5px 0;">The denial of your Publication is simply violation of Policy. There are no personal feelings in what you receive. It must comply with Policy</p>			
Respondent's Signature: <u>[Signature]</u>		Date: <u>6-8-09</u>	

Revision Date: October, 2004

207902



VIRGINIA DEPARTMENT OF CORRECTIONS  
Notification of Publication Review Committee Disapproval

Effective Date: August 1, 2007  
Operating Procedure #803.2 Attachment #2

**RECEIVED**

MAY 18 2009

Deputy Director Operations

## MEMORANDUM

Red Onion State Prison

Warden: Tracy S. Ray

TO: Brown Kelvin 207902 D 313  
FROM: Major L. Fleming, Chief of Security  
DATE: 3/31/2009  
SUBJECT: Publication Disapproval

Your publication The Final call Vol 28 # 14 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval* 803.2 # 12. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

**RECEIVED**

MAY 19 2009

Ombudsman Services Unit

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MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

**RECEIVED**

APR 03 2009

**Grievance**



VIRGINIA DEPARTMENT OF CORRECTIONS  
Notification of Publication Review Committee Disapproval

Effective Date: August 1, 2007  
Operating Procedure #803.2 Attachment #2

**RECEIVED**

MAY 18 2009

Deputy Director, Operations

## MEMORANDUM

Red Onion State Prison

Warden: Tracy S. Ray

TO: Brown Kelvin 207902 D 313  
FROM: Major L. Fleming, Chief of Security  
DATE: 3/31/2009  
SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 15 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval* 803.2 # 12. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

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VIRGINIA DEPARTMENT OF CORRECTIONS  
Notification of Publication Review Committee Disapproval

Effective Date: August 1, 2007  
Operating Procedure 803.2 Attachment #2

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MAY 18 2009

Deputy Director, Operations

## MEMORANDUM

Red Onion State Prison

Warden: Tracy S. Ray

TO: Brown Kelvin 207902 D 313  
FROM: Major L. Fleming, Chief of Security  
DATE: 3/31/2009  
SUBJECT: Publication Disapproval

Your publication The Final Call Vol 28 # 18 has been reviewed by PRC and it has been determined that you cannot possess these publications.

This publication has been disapproved due to the violation of Division Operating Procedure 803.2, *Incoming Publications, Specific Criteria for Publication Disapproval 803.2 # 12*. If you are dissatisfied with this decision, you may appeal using the Offender Grievance Procedure within seven days of the date of this letter. Otherwise, in accordance with Operating Procedure 802.1, *Offender Property*, you must dispose of this property using the Property Disposition Form.

LF/sb

(If the grievance coordinator receives a grievance, then he/she must notify personal property/mailroom to retain publication pending review of grievance at all levels).

cc: Grievance Coordinator\*  
Mail Room  
File

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MAY 19 2009

Ombudsman Services Unit

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MAY 17 2009

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WESTERN REGION

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Grievance

VIRGINIA DEPARTMENT OF CORRECTIONS  
Regular GrievanceEffective Date: November 1, 2007  
Operating Procedure #866.1 Attachment #2

## REGULAR GRIEVANCE

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MAY 18 2009

Log Number: 8

Deputy Director, Operations

BROWN, K.	207902	D	313
Last Name	First	Number	Building

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) PRIOR to the DENIAL OF MY RELIGIOUS NEWSPAPER, I RECEIVED SUCH FOR 12-13 WKS. (AUG. 2008 - NOV. 2008), SINCE THEN THE PAPER HAS BEEN REPEATEDLY DENIED - FOR MORE THAN 4 1/2 - 5 MONS - FOR REASONS OF: "DETREMENTAL to SECURITY, ORDERLY OPERATION", ETC. FACT BE TOLD, THIS PUBLICATION HAS BEEN COMING INTO VA-D.O.C. AND R.O.S.P. SINCE 1978. THERE HAS NEVER BEEN AN ASSAULT, ESCAPE, RIOT, OR DISRUPTION to ORDER OR SECURITY OF R.O.S.P., NOR ARE THERE ANY DATA/IN-TELLIGENCE EXISTING, SAYING, THERE ARE FUTURE PLANNED ASSAULTS, ESCAPES, RIOT, ETC. MOREOVER, to DENY the NEWSPAPER HAS NOT MADE R.O.S.P. MORE SAFER OR LESS. THE REPEATED, ARBITRARY DECISION to DENY IS KID MERET, it DOES NOT SERVE A PENOLOGICAL INTEREST; the CHAPLAIN DEPT. DOES NOT SHOW NATIONAL ZSIAM VIDEOS (WEEKLY), NOR DOES THE DEPT. PROVIDE N.O.E. MATERIAL/ LITERATURE (HE DOES EVEN MAKE FUNDS). THIS VOLUME DOES NOT pose A THREAT to SECURITY NOR IT'S ORDERLY OPERATION. IT DOES VIOLATE PRISONER RELIGIOUS RIGHTS.

What action do you want taken? AS PREVIOUSLY DONE, AND IS THROUGHOUT VA-D.O.C., PERMIT THE NEWS-PAPER to ALL PRISONERS AT R.O.S.P., THIS IS A SEGREGATION UNIT, how does this publication pose A THREAT to R.O.S.P.? STOP THE VIOLATIONS OF PRISONER RELIGIOUS RIGHTS AND APOLOGIZE to ALL, VIA memo, FOR such CHOCANERIES AND VIOLATIONS

Grievant's Signature: K. Brown

Date: 04/01/09

Warden/Superintendent's Office:

Date Received:

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MAY 19 2009

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MAY 12 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

Ombudsman Services Unit

VIRGINIA DEPARTMENT OF CORRECTIONS  
Regular GrievanceEffective Date: November 1, 2007  
Operating Procedure #866.1 Attachment #2

## REGULAR GRIEVANCE

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MAY 18 2009

Log Number: \_\_\_\_\_  
Deputy Director, Operations

BROWN, K.	207902	D	313
Last Name	First	Number	Building

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) PAID to the DENIAL of my Religious Publication - THE FINAL CALL NEWSPAPER - I RECEIVED IT FOR 12-13 CONSECUTIVE WEEKS (AUG. 2008 - NOV. 2008), SINCE THEN, THE PAPER HAS BEEN REPEATEDLY DENIED - FOR MORE THAN 4 1/2 - 5 MONTHS - FOR ALLEGED REASONS: "DETREMENTAL TO SECURITY, ORDERLY OPERATION, ETC. FACT BE TOLD, THIS NEWSPAPER HAS BEEN COMING INTO THE VA-D.O.C. AND R.O.S.P SINCE 1998. THERE HAS NEVER BEEN AN ASSAULT, RIOT, ESCAPE, OR DISRUPTION TO ORDER OR SECURITY OF R.O.S.P., NOR ARE THERE ANY DATA/INTELLIGENCE EXISTING, SAYING, THERE ARE FUTURE PLANNED ASSAULTS, RIOTS, ESCAPES, ETC. MOREOVER, TO DENY THE NEWSPAPER HAS NOT MADE R.O.S.P. SAFER NOR MORE DISRUPTIVE. THIS REPEATED, ARBITRARY DECISION TO DENY IS NOT WORTH MERIT, IT DOES NOT SERVE A PENOLOGICAL INTEREST; THE CHAPLAIN DEPT. DOES NOT SHOW NATION OF ISLAM VIDEOS (WEEKLY) NOR DOES THAT DEPT. PROVIDE N.O.Z. MATERIAL/LITERATURE. THIS IS VIOLATION OF MY RIGHTS

What action do you want taken? AS PREVIOUSLY DONE, AND IS THROUGHOUT VA-D.O.C., PERMIT THE NEWSPAPER TO ALL PRISONERS AT R.O.S.P.; THERE IS A SEGREGATION UNIT, HOW DOES THIS PUBLICATION INDIVIDUALLY POSE A "DETREMENT" TO SECURITY? STOP THE VIOLATION OF PRISONERS RELIGIOUS RIGHTS. AND APOLOGIZE to ALL, VIA MEMO, FOR SUCH CHRECANERIES AND VIOLATIONS

Grievant's Signature: \_\_\_\_\_

K. Brown

Date: \_\_\_\_\_

05/16/09**RECEIVED****RECEIVED**

Warden/Superintendent's Office: \_\_\_\_\_

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MAY 19 2009

MAY 12 2009

Date Received: \_\_\_\_\_

APR 03 2009

Ombudsman Services Unit

OMBUDSMAN SERVICE UNIT  
WESTERN REGION**Grievance**

VIRGINIA DEPARTMENT OF CORRECTIONS  
Regular GrievanceEffective Date: November 1, 2007  
Operating Procedure #866.1 Attachment #2

## REGULAR GRIEVANCE

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MAY 18 2009 Log Number: \_\_\_\_\_

Deputy Director, Operations

BROWN, K	207902	D	313
Last Name	First	Building	Cell/Bed Number

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) BEFORE THE REPEATED DENIAL OF MY RELIGIOUS NEWSPAPER, I HAD RECEIVED SUCH FOR 12-13 CONSECUTIVE WEEKS (AUG. 2008 - NOV. 2008), SINCE THEN IT HAS BEEN REPEATEDLY DENIED FOR 4 1/2 - 5 MONS. THERE HAS NEVER BEEN AN ASSAULT, ESCAPE, RIOT OR ANY OTHER DISRUPTION AT R.O.S.P., AS A RESULT OF THIS PUBLICATION; THERE'S NO EXISTING DATA/INTELLIGENCE THAT SUGGEST THERE ARE ANY IN THE FUTURE. THE DENIAL OF THE PUBLICATION HAS NOT MADE R.O.S.P. SAFER OR LESS. THIS IS A SEGREGATION UNIT, WHEREIN 95% - 98% OF ITS POPULOUS ARE BEHIND THE DOORS 23-24 hrs. A DAY, THEREFORE, THIS PUBLICATION CANNOT AND DOES NOT pose A THREAT TO THE SECURITY, ORDERLY OPERATION, ETC. OF R.O.S.P. THIS PUBLICATION HAS BEEN APPROVED THROUGHOUT THE VA. D.O.C. SINCE 1988, AND R.O.S.P., SINCE 1998 - WHEREIN THERE'S BEEN NO PROBLEMS. THE CHAPLAIN DEPT. DOES NOT SHOW NATION OF ISLAM VIDEOS (WEEKLY) NOR DOES IT PROVIDE N.O.I. RELIGIOUS MATERIAL. THIS IS A VIOLATION OF MY RELIGIOUS RIGHTS.

What action do you want taken? AS PREVIOUSLY DONE, AND IS THROUGHOUT VA. D.O.C., PERMIT ALL PRISONER RECEIVE THE PUBLICATION w/o HINDERANCE OR SUPPRESSION; STOP THE CHECKERIES AND VIOLATIONS OF PRISONER RIGHTS AND APOLOGIZE TO ALL, VIA MEMO; AND STOP THE VIOLATION OF PRISONER'S RELIGIOUS RIGHTS

Grievant's Signature: *K. Brown*

Date: 04/01/09

**RECEIVED****RECEIVED****RECEIVED**

Warden/Superintendent's Office: APR 03 2009

MAY 19 2009

MAY 12 2009

Date Received: **Grievance**Ombudsman Services Unit OMBUDSMAN SERVICE UNIT  
WESTERN REGION



VIRGINIA DEPARTMENT OF CORRECTIONS  
Regular Grievance

Effective Date: November 1, 2007  
Operating Procedure #866.1 Attachment #2

## REGULAR GRIEVANCE

**RECEIVED**

MAY 18 2009

Log Number: \_\_\_\_\_

Deputy Director, Operations

BROWN, K.	207902	D	313
Last Name	First	Number	Building
		Cell/Bed Number	

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) PRIDE to the REPEATED DENIAL of my Religious Publication, I  
had received such for 12-13 wks. (Aug. 2008 - Nov. 2009), since then, it has been denied  
for 4 1/2-5 mos. THERE'S NO EXISTING DATA/INTELLIGENCE that suggest this publication  
which is approved throughout VA.D.O.C. - poses a threat to security, orderly operation, etc.  
of R.O.S.P. Because of this publication, there has never been a Reported Assault,  
ESCAPE, Riot, etc. nor are there any report plans for such, at the hand of this  
publication. This is a Religious publication! Because, or as a result of its denial, it  
has not made R.O.S.P., SAFER or less. This is a segregation unit, where over 95%  
of the populous are locked behind a door 23-24 hrs; the Chaplain Dept. does not provide/offee  
NATION of ISLAM material, nor show N.O.Z. Religious videos (weekly). This Reported denial is Reli-  
gious bigotry and violates my Religious Rights.

What action do you want taken? As previously done, and is throughout VA.D.O.C., permit all prisoners  
to receive publications w/o hindrance or suppression; Stop the Religious Right  
violations and apologize to all, via Memo.

**RECEIVED**

MAY 17 2009

OMBUDSMAN SERVICE UNIT  
WESTERN REGION

Grievant's Signature: \_\_\_\_\_

K. Brown

Date: \_\_\_\_\_

04/01/09

Warden/Superintendent's Office: \_\_\_\_\_

**RECEIVED**

Date Received: \_\_\_\_\_

APR 03 2009

**Grievance****RECEIVED**

MAY 19 2009

Ombudsman Services Unit



VIRGINIA DEPARTMENT OF CORRECTIONS  
Regular GrievanceEffective Date: November 1, 2007  
Operating Procedure #866.1 Attachment #2

## REGULAR GRIEVANCE

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MAY 18 2009

Log Number: \_\_\_\_\_

Deputy Director, Operations

BROWN, K.	207902	D	313
Last Name First	Number	Building	Cell/Bed Number

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) Before to the REPEATED DENIAL of my Religious Newspaper, I had

RECEIVED it for 12-13 CONSECUTIVE WEEKS - SINCE THEN, it has been REPEATEDLY DENIED  
SINCE NOV. 2008. THERE HAS BEEN NO SUPPORTING EVIDENCE, DATA OR INTELLIGENCE THAT SUGGEST, Red  
ONION IS SAFER or less, as a result of denying this publication. THERE HAS BEEN NO ASSAULTS, Riots,  
ESCAPE, etc., as a result of this publication. This is a segregation unit prison; 95% or more  
of the prisoners are locked behind the door 23-24 hrs a day. The chaplain service does not  
provide/offer NATION of ISLAM material/literature, nor show N.O.I. videos (weekly). B.O.S.P.  
is a most secure prison in VIRGINIA, and it's not because of the denial of this pub-  
lication. THE ARBITRARY decision to deny this newspaper is vils merit and violates my  
Religious Right.

What action do you want taken? As previously done, and is throughout VA-D.C., permit all  
prisoners to receive the paper; stop the Religious Right violations, and Apologize  
to all, a vza memo.

**RECEIVED**

MAY 12 2009

OMBUDSMAN SERVICES UNIT

Date: 01/01/09Grievant's Signature: K. Brown

Warden/Superintendent's Office: \_\_\_\_\_

**RECEIVED**

Date Received: \_\_\_\_\_

APR 03 2009

**Grievance****RECEIVED**

MAY 19 2009

Ombudsman Services Unit  
Revision Date: 10/29/07

**INMATE GRIEVANCE RESPONSE FORM  
LEVEL I**

**Brown, K. 207902**  
**Inmate Name and Number**

**Red Onion State Prison**  
**Institution**

**620-29520**  
**Log Number**

**LEVEL I: Warden's Response** (To be completed and mailed within thirty calendar days.)

**Grievance Summary:** You stated Chaplain Mitchell has been negligent in his responsibilities to counsel and offer spiritual assistance to you. Your written requests to his office have gone unanswered. You did not get a response to informal complaint #11630 which was due on April 1, 2009. You have only seen the Chaplain once in the 10 months you have been here. He did not get back with you as he said he would concerning your religious rights violation. You also requested Nation of Islam materials which he has not provided. The Chaplain should be making weekly rounds in each pod to address religious concerns.

**Informal Summary:** You did not get a response to informal complaint #11630.

A face-to-face meeting was conducted for this grievance. Counselor Tiller discussed this issue with you on April 7, 2009.

**Investigation:** Chaplain Mitchell advised that he has visited you on several occasions to discuss your issues. He has documented that materials have been sent to you through the institutional mail also. Religious materials are donated and are distributed as they become available. Chaplain Mitchell cannot help you with your concern of being denied material when it violates policy. All material is subject to review for compliance with Operating Procedure 803.2 prior to delivery to you. This is done on a case-by-case basis. This is an issue you will need to address with Major Fleming and Property Department, not Chaplain Mitchell. Chaplain Mitchell completes his job duties as required and responds to requests and concerns in a timely manner.

Chaplain Mitchell did not receive informal complaint #11630 according to his records, therefore you did not get a response. It appears to have been misplaced or lost, therefore this grievance is founded. Policy has been violated since you did not get a response to your informal complaint.

**Policy/Procedure:** Operating Procedure 866.1 and 841.3 govern this issue.

This grievance is **FOUNDED**, as there has been incorrectly applied procedure of this policy. The informal complaint was lost or misplaced in transit. Every effort will be made to ensure this does not occur again.

  
**Warden**

5-5-09  
**Date**

In accordance with procedure 866 governing Inmate Grievance Procedures, if you are dissatisfied with this response you may appeal this decision within five (5) calendar days to:

Regional Director  
Western Regional Office  
5427 Peters Creek Road, Suite 250  
Roanoke, Virginia 24019-3896

Brown, K. 207902  
Grievance #620-29520  
Page 2

I wish to appeal the LEVEL I Response because:

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NAME AND INMATE NUMBER

DATE

rm

VIRGINIA DEPARTMENT OF CORRECTIONS  
Regular GrievanceEffective Date: November 1, 2007  
Operating Procedure #866.1 Attachment #2

## REGULAR GRIEVANCE 2

Log Number: 620-29520

BROWN, K.	207902	D	313
Last Name	First	Number	Building
WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) IN CONJUNCTION WITH INFORMATION CONTAINED WITHIN COMPLAINT FORM: I'VE REPEATEDLY VISITED THE CHAPLAIN, REQUESTING HIS SERVICE TO INTERVIEW REGARDING MY RELIGIOUS RIGHTS VIOLATION, AS IT RELATE TO D.O.P. 841.3 AND 803.2. CHAPLAIN HAS BEEN NEGLIGENCE IN HIS RESPONSIBILITIES TO COUNSEL AND OFFER SPIRITUAL ASSISTANCE TO THOSE CONFINED AT B.O.S.P. MY REPEATED AND NUMEROUS REQUESTS TO HIS OFFICES REGARDING THIS MATTER HAS GONE UNANSWERED. IN THE 10 MONTHS I'VE BEEN AT B.O.S.P., I'VE ONLY SEEN THE CHAPLAIN ONCE. IN THAT ENGAGEMENT, HE VERBALLY TOLD ME, HE WOULD INVESTIGATE MY MATTER AND HE WOULD GET BACK WITH ME. HE HAS FAILED TO DO SO. I ALSO REPEATEDLY REQUESTED FROM HIS OFFICE, NATION OF ISLAM MATERIALS/LITERATURE. I HAVEN'T RECEIVED ANY. THE CHAPLAIN HAS NEGATED HIS DUTIES - D.O.P. 841.3			
What action do you want taken? THAT THE CHAPLAIN MAKE WEEKLY (OR BI-WEEKLY) ROUNDS TO EACH PD; ADDRESS THE SPIRITUAL AND RELIGIOUS CONCERNS OF PRISONERS AT B.O.S.P.; OFFER NATION OF ISLAM MATERIALS/LITERATURE; OBTAIN N.O.I. VIDEOS TO BE SHOWN WEEKLY ON CLOSE-CIRCUIT TELEVISION; AND ADDRESS THE CONCERNS OF THE REPEATED DENIAL OF PRISONERS RELIGIOUS PUBLICATIONS. APOLOGIZE TO ALL FOR HIS NEGLIGENCE IN DUTY.			
Grievant's Signature: K. Brown		Date: 04/02/09	

Warden/Superintendent's Office:

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Date Received:

APR 06 2009

GRIEVANCE

VIRGINIA DEPARTMENT OF CORRECTIONS  
Informal ComplaintEffective Date: November 1, 2007  
Operating Procedure #866.1 Attachment #9

## Informal Complaint

**INSTRUCTIONS FOR FILING:** Briefly write your issue in the space provided on the Informal Complaint form, preferably in ink. Only one issue per Informal Complaint. Place your complaint in the designated area at your facility. A receipt is issued within 2 working days from the date received if the informal complaint is not returned during intake. If no response is received within 15 calendar days, you may proceed in filing a regular grievance. You may utilize your receipt as evidence of your attempt to resolve your complaint.

K. BROWN # 207902 313  
Offender Name/ Offender Number Housing Assignment

☐ Unit Manager/Supervisor ☐ Food Service ☐ Treatment Program Supervisor  
☐ Personal Property ☐ Commissary ☐ Mailroom  
☐ Medical Administrator ☒ Other (Please Specify): CHAPIN

Briefly explain the nature of your complaint (be specific):

I submit this complaint regarding the gross negligence of institutional Chapin's ability to consent and assist in the spiritual needs of offenders confined at R.S.P. As of April to DOP #413 I have repeatedly written the Chapin regarding violation of my Civil Rights (Religious) Rights and denial of my Religious Observance. I spent over 3 weeks ago. He told me, he would address the matter just one week. That week he stayed and did not from Chapin. Then on night, the day before, DOP #413.

Offender Signature K. Brown Date 03/16/09  
Offenders - Do Not Write Below This Line

Date Received: 3/17/09 Tracking # 11030  
Response Due: 4/1/09 Assigned to: Chapin  
Action Taken/Response:

Respondent Signature \_\_\_\_\_ Printed Name and Title \_\_\_\_\_ Date \_\_\_\_\_  
Original - Offender \_\_\_\_\_ First Copy - File \_\_\_\_\_ Second Copy - Offender as Intake Receipt \_\_\_\_\_

RECEIVED  
APR 06 2009  
GRIEVANCE